

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

ROBERT K. FOWLER,

PETITIONER

V.

NO. 1:07CV0308-P-D

LAWRENCE KELLY, et al.,

RESPONDENTS

**ORDER OVERRULING OBJECTIONS and ADOPTING REPORT AND
RECOMMENDATION**

The *pro se* Petitioner, an inmate, brings this petition pursuant to 28 U.S.C. § 2254. On April 9, 2008, Magistrate Judge Jerry A. Davis recommended that this petition be dismissed with prejudice as untimely. On April 17, 2008, Petitioner filed an Objection to the Report and Recommendation.

The court finds that Petitioner's arguments are not well-taken and that the objections should be overruled for the reasons stated in the Report and Recommendation, which the court approves and adopts as its opinion.

THEREFORE, it is hereby ORDERED that

1) the Petitioner's objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

2) the Report and Recommendation is APPROVED and ADOPTED as the opinion of this court;

3) the petition is DISMISSED; and

4) this case is CLOSED.

SO ORDERED, this the 25th day of April, 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE